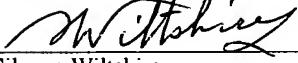


UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Charbel Khawand GROUP ART UNIT:
APPLN. NO.: 10/747,844 PETITIONS Grant, Charlema R.
ATTORNEY:
FILED: December 29, 2003 Confirmation No. 6130
TITLE: METHOD AND SYSTEM FOR EMPLOYING ADAPTIVE EVENT
CODES



CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service, as Express Mail Post Office to Addressee, Label No. <u>EV 732203692 US</u> , in an envelope addressed to: Mail Stop: PETITION , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:	
Signature :	
Typed or printed name:	Silvana Wiltshire
Date:	6/30/2005

RENEWED PETITION UNDER 37 C.F.R. § 1.137(a)

Mail Stop: **PETITION**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

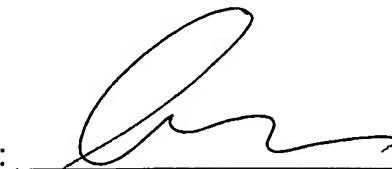
This communication is responsive to the decision to dismiss Petitioner's Petition to Revive under 37 C.F.R. § 1.137(a) ("Petition to Revive"). The decision was mailed on June 9, 2005, and Petitioner was given two months from that date to respond. Petitioner believes that this Renewed Petition to Revive under 37 C.F.R. § 1.137(a) ("Renewed Petition") is timely filed. The Renewed Petition incorporates all the documents and remarks previously submitted with the Petition to Revive.

REMARKS/ARGUMENTS

On March 15, 2005, Petitioner submitted a Petition to Revive under 37 C.F.R. § 1.137(a) in response to a Notice of Abandonment, which was mailed on January 10, 2005. The Petitions Attorney has rejected Petitioner's Petition to Revive because it did not include replacement drawings, as required by the Notice of Missing Parts. Petitioner was unaware of the requirement of replacement drawings because Petitioner has never seen the Notice of Missing Parts. Petitioner is submitting five (5) sheets of replacement drawings with this Renewed Petition.

As such, Petitioner believes that the Renewed Petition is in compliance with 37 C.F.R. § 1.137(a) and respectfully requests that the Renewed Petition be granted. independent claims 1, 9 and 15 are patentable over the prior art. Although Petitioner believes that no fee is required to submit the Renewed Petition, the Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

By: 

Larry G. Brown

Attorney of Record
Reg. No.: 45,834

SEND CORRESPONDENCE TO:

Motorola, Inc.
Law Department – MD 1610
8000 W. Sunrise Blvd.
Plantation, FL 33322

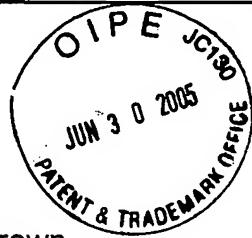
Customer Number: 24273

Telephone:(954) 723-4295
Fax No.: (954) 723-3871



Request for reconsideration due August 9, 2005
CET1501JBE

UNITED STATES PATENT AND TRADEMARK OFFICE



Commissioner for Patents
United States Patent and Trademark Office
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JUN 13 2005

MOTOROLA LAW DEPARTMENT
PLANTATION, FLORIDA

Larry G. Brown
Motorola, Inc.
Law Department
8000 West Sunrise Boulevard
Fort Lauderdale FL 33322

COPY MAILED

JUN 09 2005

OFFICE OF PETITIONS

ON PETITION

In re Application of :
Khawand et al. :
Application No. 10/747,844 :
Filed: December 29, 2003 :
Title of Invention: METHOD AND SYSTEM :
FOR EMPLOYING ADAPTIVE EVENT :
CODES :

BEST AVAILABLE COPY

This is a decision on the petition filed March 15, 2005 under 37 CFR 1.137(a) to revive the above-identified application.

The petition to revive under 37 CFR § 1.137(a) is **DISMISSED**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR § 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR § 1.137(a)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

This above-identified application became abandoned for failure to file a response to a Notice to file Missing Parts of a Nonprovisional Application which was mailed on April 13, 2004. The Notice to File Missing Parts set a two (2) month period for reply. No extensions of time were obtained under the provisions of 37 CFR § 1.136(a). Accordingly, this application became abandoned on June 14, 2004. A Notice of Abandonment was mailed on January 10, 2005.

PETITION TO REVIVE UNDER 37 CFR § 1.137(a)

A grantable petition under 37 CFR § 1.137(a) must be accompanied by:

- (1) the required reply,¹
- (2) the petition fee,
- (3) a showing to the satisfaction of the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unavoidable, and
- (4) a terminal disclaimer and fee if the application was filed on or before June 8, 1995 or if the application is a design application.

The instant petition lacks item (1).

As to item (1), although a declaration containing the signatures of inventors Tao and Vaglica has been submitted on petition, petitioner has failed to submit replacement drawings as required by the Notice of Missing Parts. On renewed petition replacement drawings should be submitted.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

By facsimile: (703) 872-9306

By delivery service: U.S. Patent and Trademark Office
(FedEx, UPS, DHL, etc.) Customer Window, Mail Stop Petition
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries should be directed to the undersigned at (571) 272-3215.

Charlema R. Grant

Charlema R. Grant
Petitions Attorney
Office of Petitions

enclosure

¹ In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.